

Interoffice Memo

Date: 12/30/96
To: Bruce Mack
CC: Tony Price
From: Mark Parquette
RE: J. E. Berger Project, Incident Report Supplement



The purpose of the memo is to provide background and further detail to the incident report dated December 17th, 1996. The J. E. Berger Site is located in the old Packard Automobile Plant, that has since been subdivided into smaller partitions for purchase and / or lease. The portion of the building that Smith Technology is under contract to remediate is the unit next to the east end unit at 5300 Bellevue. The condition of the structure is fair. The roof had previously collapsed in several areas, but the main support I-beams were in tack. The concrete floor had a wood block overlay, or a 3 inch cement overlay that was removed by our crews to access the main contaminated floor. The old warehouse building had previously contained a grated drainage ditch, that was sealed with concrete on the northern end of the unit. The remaining warehouse floor contained several drains and access points to clear the drains when clogged. About three quarters of the access points were sealed with a screw on cap, and all of the main sewers had man hole covers on them. Historically, when it would rain, the water would flow into these sewers, and into the main City of Detroit, sanitary sewer system.

Tommy Butler had been working on the project since mid November as a technician, or a part - time Bobcat operator. Since he started on the project, he has been performing numerous different remedial tasks, but the main task has been sweeping, vacuuming, scrubbing, hot water pressure washing, and vacuuming the warehouse floor. This activity was to try to remove the upper dirt, and oil staining of the concrete floor. Paul Gordon arrived on the site the third of December performing the same tasks as Tommy Butler. Every day prior to the commencement of any activities, the days tasks were outlined to all employees during the safety meeting. Either Bill Gillmartin, the Foreman, or myself, would conduct these meetings. When the crew would perform pressure washing tasks, they were advised to always point the nozzle away from the body, and not at any other crew members, and to direct the water flow away from any sewers or openings in the floor itself. At the beginning of the pressure washing of the floor phase in November, Bill Gilmartin directed and observed the entire process to clean the floor as follows:

- sweep the floor to remove any debris or large areas of dirt

Interoffice Memo

- vacuum the floor to open the pours of the concrete
- close any sumps or sewers by using a visqueen, oil absorbent, or sand bags
- hot water pressure wash the floor, collecting the rinse water as it is generated using wet/dry vacuums
- scrub the floor to apply the penatone or less than ten solutions
- let the solution sit on the concrete for 30 minutes
- hot water pressure wash the floor, collecting the rinse water as it is generated using wet/dry vacuums
- consolidate the contaminated rinse water into a 1500 gallon poly storage tank

The first area of the floor cleaned was in the dock bay. Tommy Butler was one of the crew members assigned to the task. Over 10 of the 50 grids in the building were cleaned using this method prior to the Thanksgiving break.

In December, the crews continued to clean the floor. Since Paul Gordon was a new arrival on site, he had to review and sign off on the health and safety prior to commencement of any work activities. Bill Gilmartin, and myself, instructed him on the procedures utilized by the crew to limit the further spread on contamination on the site, including the proper way to decontaminate the floor. Bill Gilmartin observed and directed the crews daily tasks. All employees understood how to clean the floors, and what was expected of them. At the end of the second week of December, the directive from the OSC was to remove the gross contamination on the floor by removing the uppermost layer of dirt, dust, and debris on the main concrete floor. Then, if time permitted, the floor would be washed down. This was to limit the possibility of any contaminated sludge or debris being washed down the drains during any rainstorm, or melting snowfall while the crew was on the long Christmas and New Years break. The crews only had to perform the first four steps outlined above.

Since the area of the initial wash down had a large amount of dirt and mud on the surface, the crews were instructed to dump the water that was collected into the wet / dry vacuums into 55 gallon drums. This was to allow the mud to settle to the bottom, so that they could decant the liquids into the poly tank, solidify the mud, and place it into the roll off box. Tommy Butler, and Paul Gordon were performing these tasks for two days prior to the incident. Paul Gordon would operate the Bobcat to move the drums, and any debris still in the way. Any remaining stockpile of contaminated cement was loaded one day prior to the incident.

On the date of the incident, there would be an occasional light shower. The rain would enter the warehouse area through the missing roof areas, adding to the amount of rinse water that had to be collected. Tommy Butler, and Paul Gordon were assigned, for the third day in a row, to perform the removal of the gross contamination (i.e. dirt, mud, etc.), collect, and containerize the rinse water. They were instructed that morning during the safety meeting conducted by Bill Gilmartin, on the proper procedures to carry out the task. During the morning, Bill Gilmartin entered the hot zone to inspect the crews progress. Nothing was noted that was abnormal. Bill then prepared to perform the asbestos abatement project on the second floor.

At 11 am, the OSC contacted me about an urgent situation over the radio. He explained to me what he had witnessed Tommy Butler, and Paul Gordon do. His account was outlined to you in another memo. Immediately, I went into the clean room to observe Tommy Butler, and Paul Gordon through the door window and the observation window. Tommy apparently was directing water using the pressure washer away from the clean room (which was 3 inches higher than the warehouse floor),

Interoffice Memo

around a "V" shaped mud beam that was previously constructed, and into a drain. Paul Gordon was using the Bobcat with the bucket down, to push water and mud to the "V" beam, and into the drain. I radioed them, and had them immediately stop. Neither of them answered, or stopped their activity. I opened the doorway to the hot zone, and yelled out to them. Still no reply. Then I contacted Paul Medchuck, and Rob Hite to have Tommy, and Paul stop everything, and to report to me in the clean room. I contacted Bill Gilmartin, and had him join us in the clean room to witness the discussion with the two crew members.

I asked the two employees what their tasks were for the day, and how are they to perform them. They stated the same procedure that I outlined above. I asked them if they new there was a drain in the floor. They stated that after the concrete pile was removed (a day earlier) that they noticed the open drain. I asked them why there was a "V" shaped beam. They stated to direct the water away from the drain. Then I asked them why were they directing water into the drain. They laughed, and then became quiet. I told them that the OSC and myself observed both of them directing contaminated water and mud into the drain. When the OSC confronted the situation, and asked where the contaminated water and mud was flowing, Tommy motioned with his hands and pointed into the drain. I told them that this activity would immediately stop. A sand bag would be used to close the drain, and that all water would be collected, and containerized as previously directed.

I then left the building, and went to the trailers to contact the district and regional offices to advise them of the situation. I went off site for lunch to compile the information that I had, and to settle down. During this time, Al Franc approached these individuals and asked them what happened. At that time, they were fully aware of what they did, and stated that they were doing it to increase the productivity. Later, that evening, I had time to ask all the remaining crew members on what they saw. Only Rob Hite stated that he observed the same misconduct that the OSC and myself had.

MP/MP